

**AGENDA
WILLIAMSTOWN BOARD OF SELECTMEN
MONDAY, FEBRUARY 13, 2012
7:00 P.M.**

1. CHAIRMAN'S OPENING STATEMENT:

2. SELECTMEN'S MINUTES: January 23, 2012

3. PUBLIC HEARING: 7:05 PM - application from Taewa, Inc., d/b/a Thai Garden, 27 Spring St., for a Change of Manager, New Stockholder, Transfer of Stock, Change in Board of Directors and Alteration of Licensed Premises (Jonathan Sabin)

Vote by Board of Selectmen

4. PUBLIC HEARING: 7:10 PM – Liquor License Compliance: Saigon Vietnamese Cuisine (Nancy Nyugen)

Vote by Board of Selectmen

5. ITEMS FOR SELECTMEN'S CONSIDERATION:

A. 2012 Berkshire Humane Society Race – Saturday, May 5, 2012 (Alix Cabral)

B. FY13 Budget Proposal

C. Water and Sewer Warrant - \$129,543.76

D. Affordable Housing Discussion

6. LICENSES AND PERMITS:

A. Request from The President & Trustees of Williams College, Robert Volpi, Manager for a One-Day Wine and Malt Beverage License on March 3, 2012 from 10:00 p.m. to 2 a.m. at Paresky Dining Hall for Senior Class 100 Days Dance.

7. TOWN MANAGER'S REPORT

8. PETITIONER'S REQUEST:

9. OTHER BUSINESS:

10. ADJOURN:

Next Selectmen's meeting is Monday, February 27, 2012 at 7 p.m.

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
MONDAY, FEBRUARY 13, 2012
7:00 P.M.

Present: Thomas E. Sheldon, Chairman, Jane B. Allen, Tom Costley, Ronald Turbin

Absent: David A. Rempell

Others Present: Jay Sabin, Panom Voravittayathorn, Peter Chang, Alix Cabral, Nancy Nguyen, Kyle Johnson, Janet Saddler, Charles Fox, Brian O'Grady, Cathy Yamamoto, Charles Bonenti, Peter Fohlin, Kathy Poirot

1. CHAIRMAN'S OPENING STATEMENT: Mr. Sheldon congratulated the Mount Greylock Regional High School SEE Fund for its very successful telethon. With the assistance of WilliNet airing the telethon they raised about \$5,000 to supplement school programming.

2. SELECTMEN'S MINUTES: January 23, 2012 – Ms. Allen moved to approve the January 23, 2012 minutes. Mr. Turbin seconded and the motion carried 3-0-1 with an abstention by Mr. Costley.

3. PUBLIC HEARING: 7:05 PM - application from Taewa, Inc., d/b/a Thai Garden, 27 Spring St., for a Change of Manager, New Stockholder, Transfer of Stock, Change in Board of Directors, Alteration of Licensed Premises and Change of DBA (Jay Sabin)

Chairman Sheldon opened the public hearing at 7:05 p.m. for an application from Taewa, Inc., d/b/a Thai Garden, 27 Spring St., for a Change of Manager, New Stockholder, Transfer of Stock, Change in Board of Directors, Alteration of Licensed Premises and Change of Doing Business As. Attorney Sabin, representing Taewa Inc. explained that former liquor manager Sorasak Tongtawee has left the corporation and they would like to replace him with Peter Chang. In addition, there are changes in the stockholders and the amount of stock they hold as well as a change in the Board of Directors. Mr. Sabin said that while they were putting the application together, it was also noted that there had been alterations to the premises. He said this application will address all of the changes that have occurred and bring the business up to date with the town and the Alcoholic Beverage Control Commission.

Ms. Allen asked Mr. Chang if he had ever managed an alcohol license in Massachusetts to which he replied that he hadn't. She also indicated that in 2006 and in 2008, Thai Garden had failed compliance checks. She said that she noted Mr. Chang had worked at the restaurant during that time. She reminded him that once he is approved as the liquor manager he will be responsible for all of the servers and if there are any compliance failures going forward there will be consequences. Mr. Chang said he is TIPs trained and his card expires in 2013. He gave a copy of the card to Ms. Poirot. Mr. Sheldon closed the public hearing.

Vote by Board of Selectmen: Ms. Allen approved the application from Taewa, Inc., d/b/a Thai Garden, 27 Spring St., for a Change of Manager, New Stockholder, Transfer of Stock, Change in Board of Directors, Alteration of Licensed Premises and Change of DBA. Mr. Costley seconded and the motion carried unanimously.

4. PUBLIC HEARING: 7:10 PM – Liquor License Compliance: Saigon Vietnamese Cuisine (Nancy Nyugen) – Chairman Sheldon opened the public hearing at 7:22 p.m. In response to a failed compliance check conducted on November 17, 2011, the Board requested that Ms. Nyugen appear before them. Chief Johnson stated that at approximately 2042 hours, a twenty year old entered the establishment and ordered a beer. Ms. Nyugen served him the beer without asking him to provide identification to show his age to be at least 21. Ms. Nyugen said the restaurant was very quiet that night and she served the man a beer without carding him because he looked “old”. She said she put the beer bottle on the table and when she came back to give him a cup, he was gone. A few minutes later the police came in. Mr. Sheldon asked her if she had learned anything from this incident. She said she would card everyone now. Ms. Allen said it was a big disappointment that this has happened – especially so soon since the opening of the restaurant. Ms. Allen said a subcommittee of the board will be making a policy to include consequences for failed compliance checks because the Board lacks a policy for handling failures. Ms. Allen said selectmen are giving Ms. Nguyen a very strong warning that they expect 100% compliance going forward. Mr. Turbin thanked Ms. Nyugen for being forthcoming and acknowledging her mistake. Mr. Sheldon closed the hearing.

Vote by Board of Selectmen: Ms. Allen moved that the chairman send Ms. Nyugen a letter of warning for the failed compliance check in November 2011. Mr. Turbin seconded and the motion carried unanimously.

5. ITEMS FOR SELECTMEN’S CONSIDERATION:

A. 2012 Berkshire Humane Society Race – Saturday, May 5, 2012 – race coordinator Alix Cabral requested that selectmen approve the proposed race and route for the 10th Annual Humane Race for Saturday, May 5, 2012 starting at 10 a.m. Ms. Allen moved to approve the proposed race and thanked Ms. Cabral for bring the race to Williamstown. Mr. Costley seconded and the motion carried unanimously.

B. FY13 Budget Proposal – In a power point presentation, Mr. Fohlin reviewed the proposed FY13 budget. He said town departments budgets are up 2% or less, excluding the Veterans Services due to a \$44,000 jump in veterans’ benefits. Municipal veterans benefits are mandated by the government which then reimburses the town 75% the following year. Mr. Fohlin said new growth is down because last year’s amount saw the difference when Sweet Brook Care Center and Sweetwood Retirement Center changed from non-profit to for-profit. Hotel/motel and meals taxes increase by \$7,438 each and fuel for municipal vehicles is up \$18,000 based on projections of gasoline at \$3.50 a gallon. Mr. Fohlin said a savings of about \$60,000 is expected by moving all town employees to a value plus health insurance plan. He referred to new rules placed on municipalities to have plans equal in costs to the GIC plans. The greatest losses in next year’s budget come from lost property taxes, excise taxes and permit fees from the Spruces Mobile Home Park in the amount of about \$95,000. That amount will no doubt be gone forever he said. Mr. Fohlin said there are capital improvement challenges coming up such as the need for a new police station, high school, and about \$400,000 in truck replacements, Syndicate Road sewer line replacement, road reconstruction of North Hoosac Road, and new water meters. Mr. Fohlin said that this budget provides for no increase in property taxes and the town will have \$540,848 in free cash. The budget will be presented at the next Finance Committee meeting February 16, 2012.

C. Water and Sewer Warrant - \$129,543.76 – Ms. Allen moved to approve the water and sewer warrant in the amount of \$129,543.76. Mr. Turbin seconded and the motion carried unanimously.

D. Affordable Housing Discussion – Mr. Sheldon explained that the Affordable Housing Committee has increased the amount of funds that were previously requested in its application to the Community Preservation Committee by \$600,000. The increase would allow the AHC to purchase town property for renovation or to build on. Ms. Yamamoto and other AHC members have been reviewing a way to create a vehicle in which the town would be able to place the CPA funds or other funds into an account so that when there is an opportunity to purchase property for affordable housing, the money would be available and controlled. This proposed vehicle, a Municipal Affordable Housing Trust has been discussed by the AHC for months. The “Trust” would provide flexibility to act as opportunities arise. She said that it would be discussed further with the CPA Committee at their next meeting February 28. Mr. Sheldon said the AHC would need to draft a warrant article to set up the trust for Town Meeting to vote on it and it would require the creation of a board of trustees with a minimum of five members, one of whom shall be a selectman, with terms not to exceed two years. Mr. Turbin moved that the Board support the creation of a municipal affordable housing trust and encouraged the Affordable Housing Committee to draft a warrant article for such. Mr. Costley seconded and the motion carried unanimously. (Municipal Affordable Housing Trust Guidebook can be located in the Town Manager’s office)

6. LICENSES AND PERMITS:

A. Request from The President & Trustees of Williams College, Robert Volpi, Manager for a One-Day Wine and Malt Beverage License on March 3, 2012 from 10:00 p.m. to 2 a.m. at Paresky Dining Hall for Senior Class 100 Days Dance.

Mr. Costley moved to approve a request from The President & Trustees of Williams College, Robert Volpi, Manager for a One-Day Wine and Malt Beverage License on March 3, 2012 from 10:00 p.m. to 2 a.m. at Paresky Dining Hall for Senior Class 100 Days Dance. Ms. Allen seconded and the motion carried unanimously.

7. TOWN MANAGER’S REPORT: see attached and on www.williamstown.net

8. PETITIONER’S REQUEST: None

9. OTHER BUSINESS: Mr. Turbin said after a three-hour meeting of representatives from the Metropolitan Planning Organization, funds were appropriated for the northern route of the bike trail. Mr. Sheldon thanked Mr. Turbin for his active role in the organization.

10. ADJOURN: Ms. Allen moved to adjourn at 9:15 p.m. Mr. Costley seconded and the motion carried unanimously. The next Selectmen’s meeting is Monday, February 27, 2012 at 7 p.m.

Respectfully submitted,

Tom Costley, Secretary